

# Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495

ATTN: Koko Cronin, Project Manager

Public Notice Date: May 30, 2006 Expiration Date: June 28, 2006

Reference: 200501237

Name: Port Townsend, Port of

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT: Port of Port Townsend

Post Office Box 1180

Port Townsend, Washington 98368

Telephone: (360) 385-0656

AGENT:

Reid Middleton

Ms. Nicole Faghin

728 - 134th Street Southwest, Suite 200

Everett, Washington 98204 Telephone: (425) 741-3800

LOCATION: In Port Townsend Bay, near Port Townsend, Jefferson County, Washington.

<u>WORK</u>: Remove and dispose of 10,996 square feet (sf) of creosote-treated pier and floats, and 226 creosote-treated piling. Relocate existing floats, install 15,840 sf of new timber floats, and install 80 new steel piling with diameters between 10 and 14 inches. Maintenance dredge the entrance channel (1357 cubic yards) and the east and west sides of the basin (9740 cubic yards) to -11' with a one foot over dredge (-11' mean lower low water) with clamshell dredging and dispose of the dredged material at the Port Townsend Open Water Disposal Site.

<u>PURPOSE</u>: To replace deteriorated marina elements and reconfigure existing marina elements to accommodate additional boats, and to maintain suitable depths in the boat basin.

### PUGET SOUND DREDGED DISPOSAL ANALYSIS (PSDDA):

Dredged Material Testing: The proposed dredged material has been tested according to the procedures specified in PSDDA, a multi-agency program for the evaluation of dredged material proposed for disposal at open-water sites in Puget Sound. The PSDDA evaluations may include both chemical and biological testing of sediments. For this project, the PSDDA agencies determined that all 10,900 cubic yards were suitable for unconfined disposal at the PSDDA dispersive open-water disposal site in the Strait of Juan de Fuca at the Port Townsend Disposal Site. The sediment testing data are available at the U.S. Army Corps of Engineers (Corps), Seattle District, Dredged Material Management Office.

Disposal Site Use Conditions: The following standard site use conditions will be specified by the Corps and the Washington Department of Natural Resources as part of the Federal/State permitting processes:

(1) during the periods of tribal fishing in the disposal site area, disposal will only occur during daylight hours; and (2) during the daylight hours, "navigation rules of the road" will apply to the dredger in the event Tribal fishing is occurring at the disposal site. The dredger's permit will state that disposal is to occur when there is no Tribal fishing occurring at the disposal site. Other appropriate special conditions may be added as a result of comments received during the public review period for this public notice.

#### **ENDANGERED SPECIES:**

The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The Puget Sound Chinook (Oncorhynchus tshawytscha), threatened; Hood Canal summer run chum (O. keta), threatened; coastal-Puget Sound bull trout (Salvelinus confluentus), Puget Sound Steelhead, proposed threatened; bald eagle (Haliaeetus leucocephalus), threatened; steller sea lion (Eumetopias jubatus), threatened; marbled murrelet (Brachyramphus marmoratus), threatened; humpback whale (*Megaptera novaeangliae*), endangered; leatherback sea turtle (Dermochelys coriacea), endangered; and killer whale (Orcinus orca), endangered; are all listed in the state of Washington, occurs or may occur in the proposed project area. For Chinook, chum, bull trout, steller sea lion, and marbled murrelet critical habitat has been designated. A preliminary determination indicates that the activity may affect, but is not likely to adversely affect: Chinook, Chinook critical habitat, Hood Canal summer run chum, Hood Canal summer run chum critical habitat, coastal Puget sound bull trout, bald eagle, marbled murrelet. A preliminary determination indicates that the project will have no effect on: steller sea lion, humpback whale, leatherback sea turtle, killer whale. For bull trout critical habitat, steller sea lion critical habitat, and marbled murrelet critical habitat, there is no critical habitat in the project vicinity. For Puget Sound steelhead, proposed threatened, the determination of effect for the proposed project is: no jeopardy to the continued existence of the species, if the species becomes listed the determination of effect is: may affect, but is not likely to adversely affect.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact EFH for Pacific salmon, Groundfish, and Coastal Pelagic Species in the project area. The U.S. Army Corps of Engineers (Corps) has determined that the proposed action will not adversely affect designated EFH for federally managed fisheries in Washington waters. No further EFH consultation is necessary.

<u>CULTURAL RESOURCES</u>: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. Known historic properties occur in the vicinity of the proposed project. However, they do not occur in the permit area. The proposed work is of such a limited nature and extent (has been extensively modified by modern development) that little likelihood exists for the proposed project to impinge upon an undisturbed historic property.

The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

<u>PUBLIC HEARING:</u> Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

<u>EVALUATION</u>: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

<u>ADDITIONAL EVALUATION</u>: The State of Washington is reviewing this work (for consistency with the approved Washington Coastal Zone Management Program) (and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act).

This proposal is the subject of Shorelines Substantial Development Permit No. LUP05-114, being processed by Port Townsend.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to Koko.Z.Cronin@usace.army.mil. Conventional mail comments should be sent: U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Port Townsend, Port of, 200501237

Encl Drawings (13)

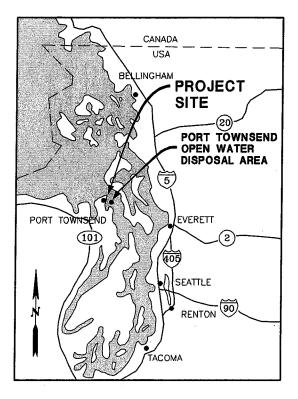
#### SITE ADDRESS

NAME: PORT OF PORT TOWNSEND POINT HUDSON MARINA

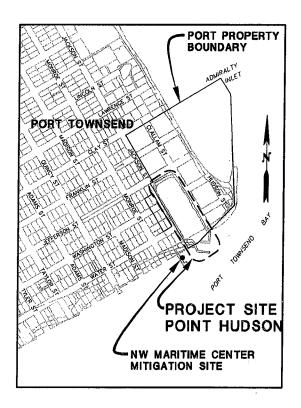
ADDRESS: 380 JEFFERSON STREET PORT TOWNSEND, WA 98368

PHONE: (360) 385-0656

(SOUTHWEST ¼, SECTION 1, TOWNSHIP 30 NORTH, RANGE 1 WEST, IN THE CITY OF PORT TOWNSEND, JEFFERSON COUNTY, WASHINGTON)







VICINITY MAP

LATITUDE: 48° 07' LONGITUDE: 122° 45'

PURPOSE: RECONFIGURATION/REPLACEMENT OF EXISTING MARINA AND

REPAIR OF TRAVEL LIFT PIER

DATUM: MLLW = 0.0'

#### ADJACENT PROPERTY OWNERS:

- 1. PORT OF PORT TOWNSEND
- 2. NORTHWEST MARITIME CENTER

3. JANET ALLEN

# POINT HUDSON MARINA RENOVATION

NAME: PORT OF PORT TOWNSEND ADDRESS: 333 BENEDICT STREET

P.O. BOX 1180

PORT TOWNSEND, WA 98368

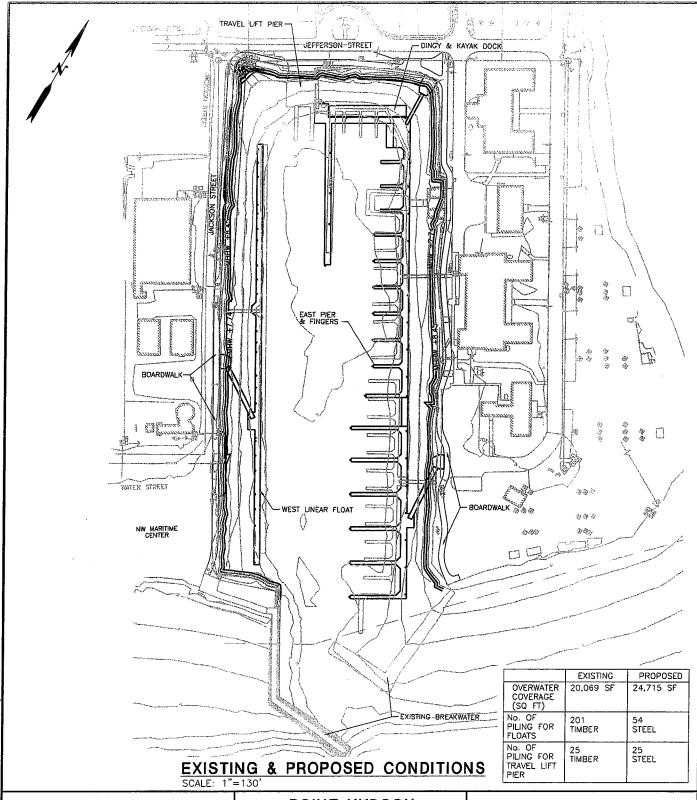
IN: PUGET SOUND

AT: PORT TOWNSEND BAY COUNTY OF: JEFFERSON STATE OF: WASHINGTON

APPLICATION BY: PORT OF PORT TOWNSEND

CORPS REFERENCE #: 200501237

SHEET 1 OF 12



PURPOSE: RECONFIGURATION/REPLACEMENT OF EXISTING MARINA AND

REPAIR OF TRAVEL LIFT PIER

DATUM: MLLW = 0.0'

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# POINT HUDSON MARINA RENOVATION

130 0 130

NAME: PORT OF PORT TOWNSEND ADDRESS: 333 BENEDICT STREET

P.O. BOX 1180 PORT TOWNSEND, WA 98368 IN: PUGET SOUND
AT: PORT TOWNSEND BAY
COUNTY OF: JEFFERSON

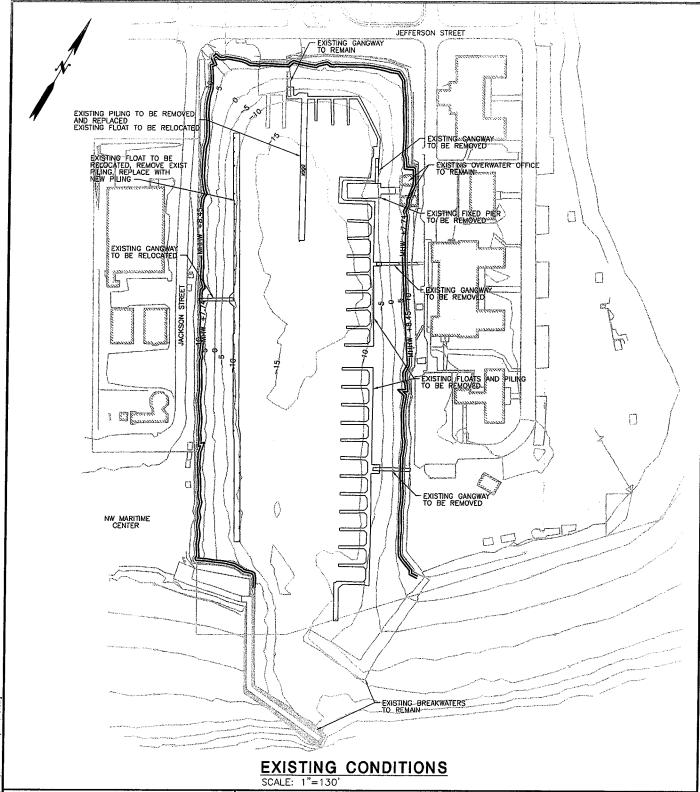
STATE OF: WASHINGTON

APPLICATION BY: PORT OF PORT TOWNSEND CORPS REFERENCE #: 200501237

SHEET 2 OF 12

DATE: 04/19/06

10/11/2005 1:49 88 4:12/2005



DATUM: MLLW = 0.0

### ADJACENT PROPERTY OWNERS:

- 1. PORT OF PORT TOWNSEND
- 2. NORTHWEST MARITIME CENTER

3. JANET ALLEN

# POINT HUDSON MARINA RENOVATION



PORT OF PORT TOWNSEND NAME: ADDRESS: 333 BENEDICT STREET

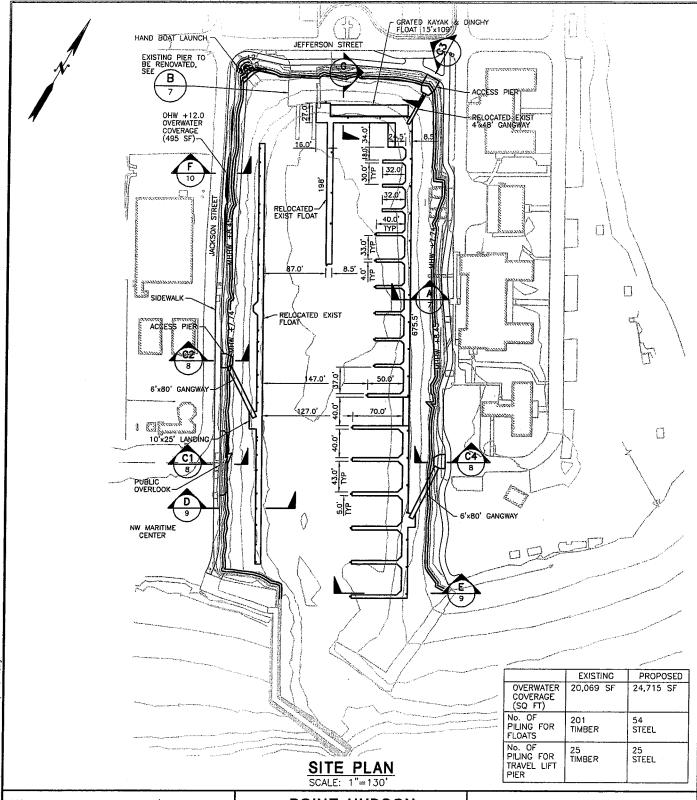
P.O. BOX 1180

PORT TOWNSEND, WA 98368

AT: PORT TOWNSEND BAY COUNTY OF: JEFFERSON STATE OF: WASHINGTON APPLICATION BY: PORT OF PORT TOWNSEND CORPS REFERENCE #: 200501237

SHEET 3 OF 12

IN: PUGET SOUND



PURPOSE: RECONFIGURATION/REPLACEMENT
OF EXISTING MARINA AND

OF EXISTING MARINA AND REPAIR OF TRAVEL LIFT PIER

DATUM: MLLW = 0.0'

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# POINT HUDSON MARINA RENOVATION

SCALE IN FEET

NAME: PORT OF PORT TOWNSEND ADDRESS: 333 BENEDICT STREET

P.O. BOX 1180 PORT TOWNSEND, WA 98368 IN: PUGET SOUND
AT: PORT TOWNSEND BAY
COUNTY OF: JEFFERSON

STATE OF: WASHINGTON

APPLICATION BY: PORT OF PORT TOWNSEND CORPS REFERENCE #: 200501237

SHEET 4 OF 12

DATE: 04/19/06

10/11/2005 1:49 255

Construction Activity	Baseline Area (ft² below MHW1)	Proposed New Area (ft² below MHW)	Net Change (ft²)
Public Overlook	0	0	0
East Access Pier and Gangway	0	265	265
West Access Pier and Gangway	190	434	244
West Linear Float	4716	5112	396
Travel Lift Pier	2174	2174	0
North Float and Fingers	2538	3200	662
Dinghy/Kayak Float	0	1630	1630
East Float and Fingers	7366	10737	3371
NorthEast Access Pier and Gangway	154	300	146
East Pier, Offices, & Overlook	2076	863	-1213
Concrete Ramp	855	0	-855
Boardwalk	0	0	0
Shaded Water Column	20069	24715	4646

# NOTE:

Shaded Water Column is the total of all the overwater structures listed above, including concrete ramp.

# COMPARISON OF BASELINE vs. NEW CONSTRUCTION ACTIVITY BY AREA

PURPOSE: RECONFIGURATION/REPLACEMENT

OF EXISTING MARINA AND REPAIR OF TRAVEL LIFT PIER

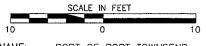
DATUM: MLLW = 0.0

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NAME: PORT OF PORT TOWNSEND ADDRESS: 333 BENEDICT STREET P.O. BOX 1180

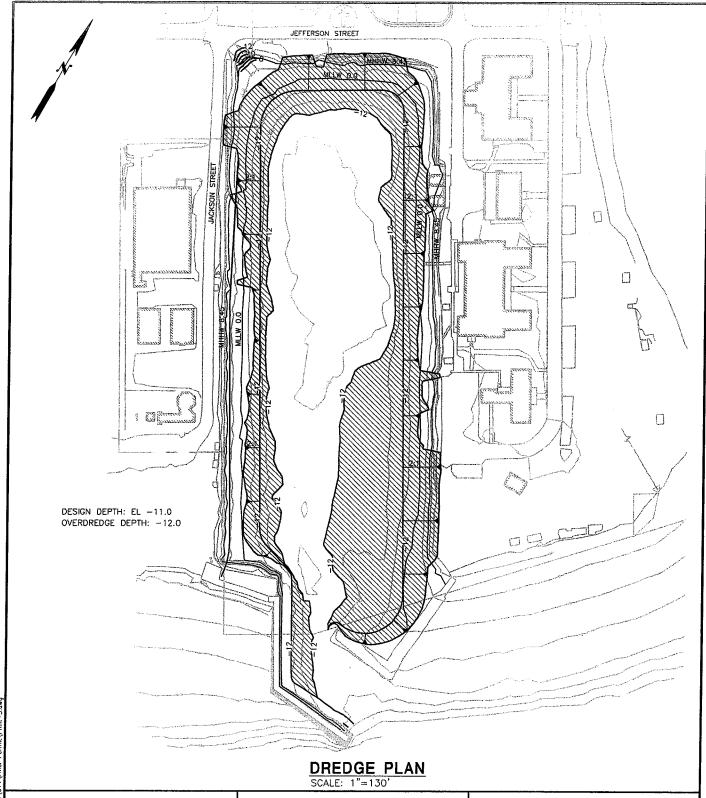
PORT TOWNSEND, WA 98368

IN: PUGET SOUND AT: PORT TOWNSEND BAY COUNTY OF: JEFFERSON

STATE OF: WASHINGTON APPLICATION BY: PORT OF PORT TOWNSEND

CORPS REFERENCE #: 200501237

SHEET 5 OF 12



DATUM: MLLW = 0.0'

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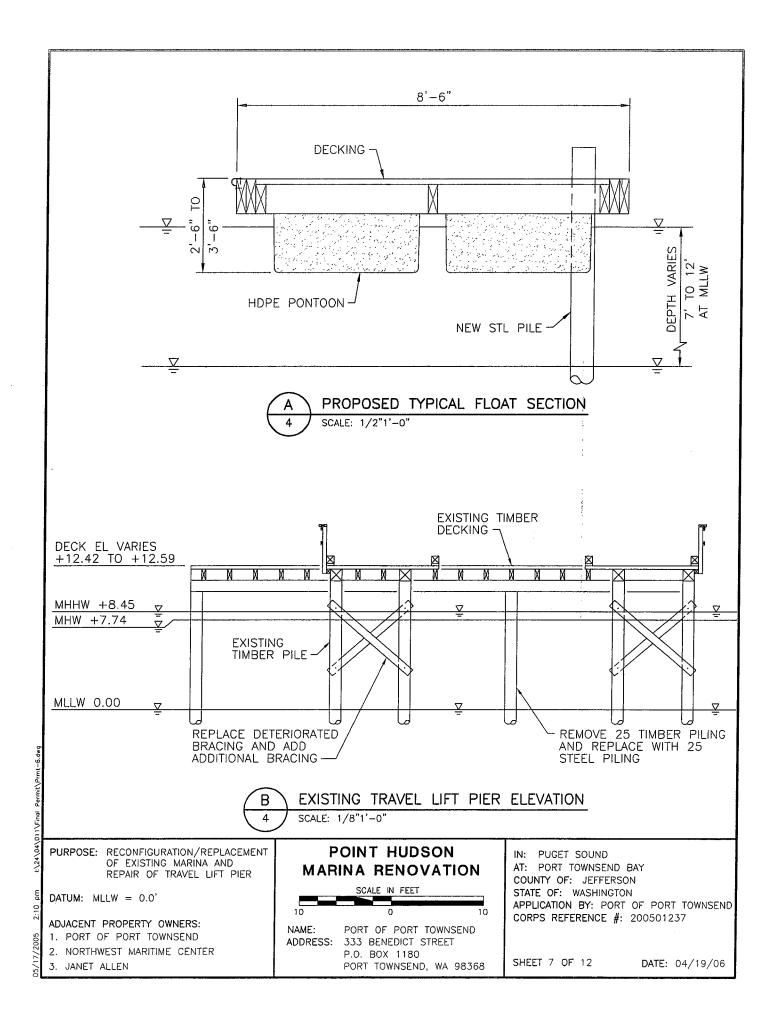
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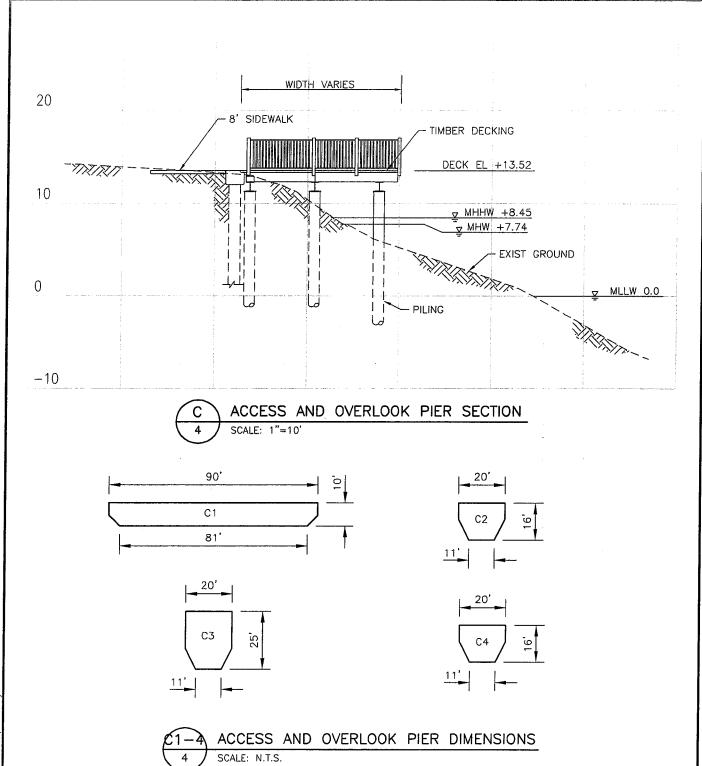
NAME: PORT OF PORT TOWNSEND ADDRESS: 333 BENEDICT STREET P.O. BOX 1180 PORT TOWNSEND, WA 98368

PUGET SOUND AT: PORT TOWNSEND BAY COUNTY OF: JEFFERSON STATE OF: WASHINGTON

APPLICATION BY: PORT OF PORT TOWNSEND CORPS REFERENCE #: 200501237

SHEET 6 OF 12





PURPOSE: RECONFIGURATION/REPLACEMENT

OF EXISTING MARINA AND REPAIR OF TRAVEL LIFT PIER

DATUM: MLLW = 0.0'

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NAME: PORT OF PORT TOWNSEND ADDRESS: 333 BENEDICT STREET

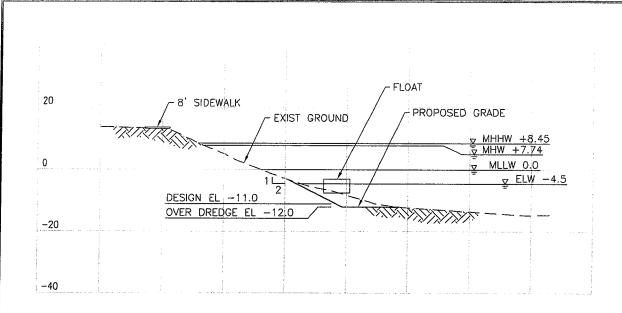
P.O. BOX 1180

PORT TOWNSEND, WA 98368

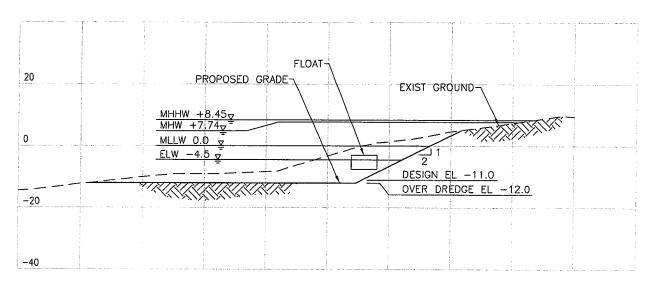
IN: PUGET SOUND AT: PORT TOWNSEND BAY COUNTY OF: JEFFERSON STATE OF: WASHINGTON APPLICATION BY: PORT OF PORT TOWNSEND

CORPS REFERENCE #: 200501237

SHEET 8 OF 12









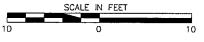
DATUM: MLLW = 0.0

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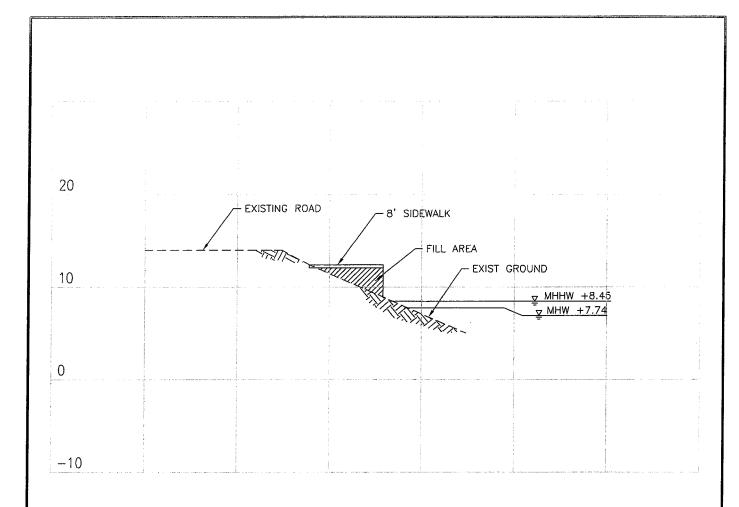
NAME: PORT OF PORT TOWNSEND ADDRESS: 333 BENEDICT STREET

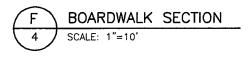
P.O. BOX 1180 PORT TOWNSEND, WA 98368 IN: PUGET SOUND AT: PORT TOWNSEND BAY COUNTY OF: JEFFERSON STATE OF: WASHINGTON

APPLICATION BY: PORT OF PORT TOWNSEND

CORPS REFERENCE #: 200501237

SHEET 9 OF 12





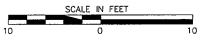
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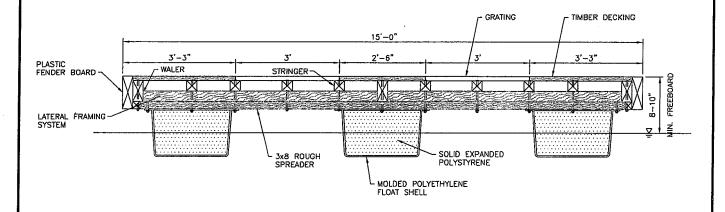
NAME: ADDRESS: PORT OF PORT TOWNSEND 333 BENEDICT STREET P.O. BOX 1180

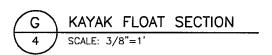
PORT TOWNSEND, WA 98368

IN: PUGET SOUND AT: PORT TOWNSEND BAY COUNTY OF: JEFFERSON STATE OF: WASHINGTON

APPLICATION BY: PORT OF PORT TOWNSEND CORPS REFERENCE #: 200501237

SHEET10 OF 12





PURPOSE: RECONFIGURATION/REPLACEMENT

OF EXISTING MARINA AND REPAIR OF TRAVEL LIFT PIER

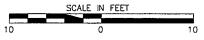
DATUM: MLLW = 0.0'

#### ADJACENT PROPERTY OWNERS:

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# POINT HUDSON MARINA RENOVATION



NAME: ADDRESS:

> P.O. BOX 1180 PORT TOWNSEND, WA 98368

PORT OF PORT TOWNSEND 333 BENEDICT STREET

SHEET 11 OF 12

IN: PUGET SOUND

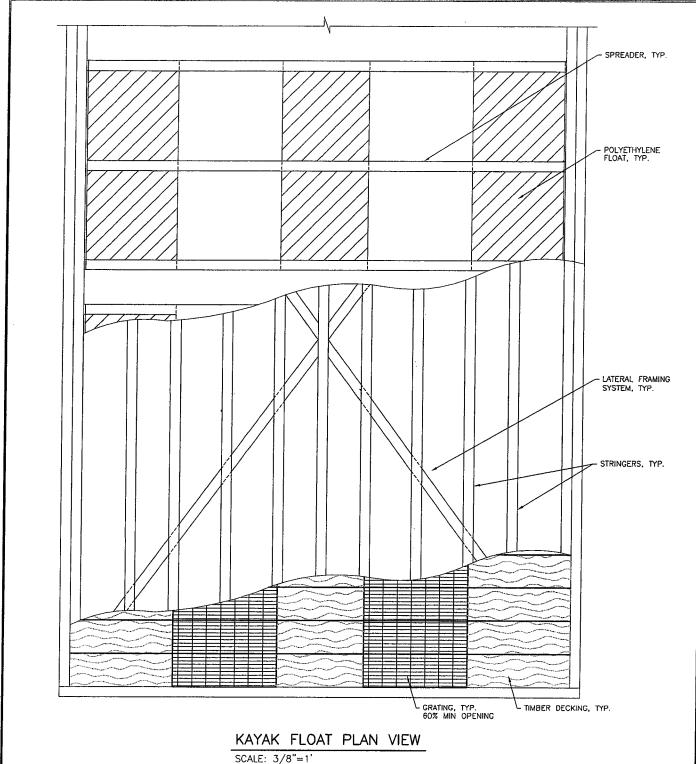
AT: PORT TOWNSEND BAY

APPLICATION BY: PORT OF PORT TOWNSEND

CORPS REFERENCE #: 200501237

COUNTY OF: JEFFERSON

STATE OF: WASHINGTON



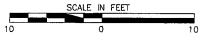
DATUM: MLLW = 0.0'

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# POINT HUDSON MARINA RENOVATION



PORT OF PORT TOWNSEND NAME: ADDRESS: 333 BENEDICT STREET

P.O. BOX 1180 PORT TOWNSEND, WA 98368 IN: PUGET SOUND AT: PORT TOWNSEND BAY COUNTY OF: JEFFERSON

STATE OF: WASHINGTON

APPLICATION BY: PORT OF PORT TOWNSEND CORPS REFERENCE #: 200501237

SHEET 12 OF 12

Disposal. Zone

## Port Townsend Disposal Site

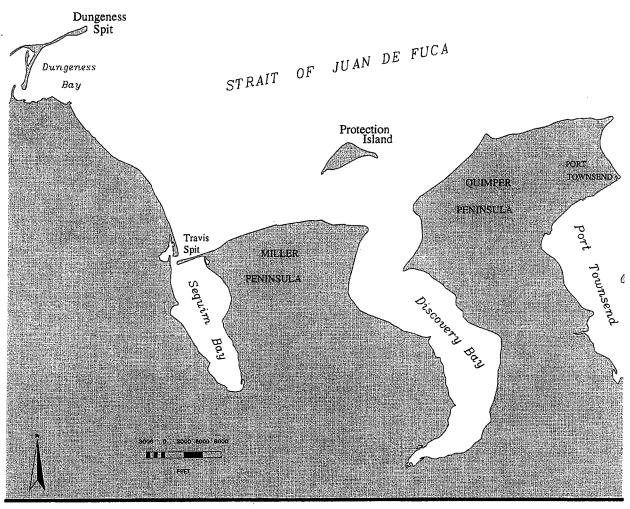
TYPE: Dispersive

AREA: 884 Acres DEPTH: 361 ft.
SITE DIMENSIONS: 7000 ft. by 7000 ft. circular

DISPOSAL ZONE: 3000 ft. Diameter TARGET AREA: none

BARGE POSITIONING METHOD: VTS

NAD27 LOCATION: Lat 48ø 13.62' Long 122ø 58.95' NAD83 LOCATION: Lat 48ø 13.61' Long 122ø 59.03'



PURPOSE:

DATUM:

ADJACENT PROPERTY OWNERS:

IN Proget Sound AT Port Town send Bay COUNTY OF Jeffeson STATE WA APPLICATION BY Port of Part Town send SHEET 1260F 12 DATE 04/14/66 #200501237



# STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600 (360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

# STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: May 25, 2006

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 2005051237 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator Department of Ecology SEA Program Post Office Box 47600 Olympia, Washington 98504-7600